

REMARKS

The claims in the application are 1-20 and Claims 21-27 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

Another copy is enclosed of Form PTO-1449 accompanying the Supplemental Information Disclosure Statement timely filed July 16, 2004. It is respectfully requested the art cited upon the enclosed Form PTO-1449 be properly made of record in the above-identified application. A supplemental executed Declaration/Power of Attorney is enclosed in accordance with the request in paragraph 1 of the Office Action. The claims have been amended to eliminate the formal rejections under 35 U.S.C. §112, second paragraph, raised in paragraphs 6.a.-w. of the Office Action. Claims 21-27 introduced herein are directed to recitation deleted from the previously-pending set of claims.

Concerning the rejection raised in paragraph 6.n. of the Office Action, it is respectfully pointed out independent Claim 1 recites the guy stand 11 is structured and arranged to pivot on either the pivot section 2 or one of the telescopic sections 5, 6, 7, 8, with Claims 5, 19 and 20 reciting the tension rod 17 is pivoted on a telescopic section 6 immediately adjacent the telescopic section 5 on which the guy stand 11 is structured and arranged to swivel or pivot (reference is being made to preferred embodiments of the present invention illustrated in the drawings of the present application). Therefore, dependent claims 5, 19 and 20 quite definitively limit positioning of the guy stand 11 to a telescopic section 5 over

the alternative arrangement recited in independent Claim 1, so the language recited in these respective claims is quite clear.

Concerning the objection to the drawings raised in paragraph 2 of the Office Action, Claim 2 has been amended to delete recitation of a "lever arm," to eliminate the drawing objection regarding this particular claim. The amendment to Claim 2 finds explicit support in Fig. 1 and the accompanying description on page 10 of the present application. A proposed Fig. 6 illustrating guy stand 11 composed of telescopic sections, is enclosed for introduction into the present application. Support for this figure can be found in Claim 8 as originally-filed in the above-identified application and which forms part of the original invention disclosure. Accordingly, approval of entry of proposed Fig. 6 by the Examiner is respectfully requested. The specification will be amended to reflect entry of Fig. 6 upon approval, while an appropriate formal drawing will be submitted upon receipt of a Notice of Allowance.

Additionally, it is respectfully pointed out the hook and eye details recited in Claims 10-13 are most certainly illustrated in Fig. 4. More particularly, the "hook" of locking piece 23 (not visible in the side view of Fig. 4) drops down and captures the "eye" of cable 10 and is then retained thereon by wider diameter clamp 24, as described on page 12 of the present application. In this regard, a replacement sheet and marked-up copy containing a proposed correction to Fig. 4 are enclosed, on which reference numeral 29 is moved to denote the slanted and horizontal portal or guide as described on page 12 of the present application, and away from the piston rod already denoted by reference numeral 28. It is respectfully submitted this

correction should clear up any confusion concerning illustration or recitation found in Claims 10-13. Approval of this proposed correction to Fig. 4 is also respectfully requested by the Examiner; an appropriately-corrected figure will also be submitted to the Patent and Trademark Office after receipt of a Notice of Allowance.

In this regard, it is respectfully submitted the proposed corrections to the drawings submitted herein and concomitant explanation presented *supra*, clearly document enabling disclosure of Claims 8 and 10-13 in the present application, to thereby eliminate the rejection under 35 U.S.C. §112, first paragraph, of these claims raised in paragraph 4 of the Office Action. Clearly the tension rod 17 and guy stand 11 could both, e.g., be telescoped out together. Furthermore, Claims 8 and 10-12 should now be unequivocally treatable on the merits over the prior art (paragraph 7 of the Office Action).

Accordingly, the only outstanding issue is the art rejection of the claims. More particularly, Claims 1, 2, 6 and 7 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Pat. No. 6,481,587 to Higgins in paragraph 10 of the Office Action, while Claims 1-3, 9, 13 and 14 have been rejected under 35 U.S.C. §103 as obvious over U.S. Pat. No. 4,982,853 to Kishi in view of U.S. Pat. Nos. 2,796,178 to Praschak and 3,477,522 to Templeton in paragraph 11 of the Office Action and Claims 3-6 and 15-20 rejected as obvious further in view of Higgins in paragraph 12 of the Office Action. However, it is respectfully submitted the invention as recited in all pending claims herein is patentable over the applied art, for the following reasons (reference will be made to preferred embodiments of the present invention illustrated in the drawings of the present application).

Based upon statements in paragraphs 10-12 of the Office Action ("as best understood"), it is respectfully submitted clarifying the claim language herein should unequivocally recite the patentable distinctions of the present invention over the applied art. In this regard, it is respectfully pointed out the presently claimed invention explicitly improves ease of raising a guy stand 11 of a telescopic boom 1 to provide concomitant support of heavy loads. These and other advantages are explicitly attained by the present invention as recited in independent Claim 1 which is directed to a telescopic boom 1 of a crane having a pivot section 2 pivoting on a horizontal luffing axle 3, telescopic sections 5,6,7,8, concentrically arranged to telescope out of the pivot section 2, and a guying 9 having at least one guy stand 11, in turn, pivoting on either the pivot section 2 or one 5 of the telescopic sections 5-8.

At least one guy cable 10 is supported by the guy stand 11, while erection mechanism 17 for raising the guy stand 11 out of folded transport position into fully-raised and extended operating position, is also provided. More particularly, this erection mechanism comprises a tension rod 17 terminating at an outer extended end of the guy stand 11 remote from the pivot section 2 or telescopic section 5 and connecting the guy stand 11 with a telescopic section 6 internally adjacent either the pivot section 2 or telescopic section 5 on which the guy stand 11 is pivotally mounted.

The features of the presently claimed invention together with the accompanying advantages attained thereby are neither disclosed nor suggested by the applied art, for the following reasons.

Higgins does not disclose a guy cable; the illustrated cable 21 is designed to lift and lower hook 56. Pendants 62, 64, 66 and 74 perform the function of a guy cable, so there is no disclosure of a separate tension rod or equivalent, as in the presently claimed invention. Furthermore, the masts 72 of Higgins make a perpendicular or right angle with the boom 20 in fully-erect position as shown in Figs. 1, 22, 24 and 25, unlike the angle β made by guy stand 11 with cross-sectional perpendicular plane 15 as shown in Fig. 1 of the present application and recited in Claim 2. Moreover, the V-shape made by the masts 72 with the boom 20 in Fig. 1 of Higgins is the exact opposite of the V-shape orientation made by the guy supports 12 with boom 1 as shown in Fig. 2 of the present application and recited in Claim 7. Accordingly, contrary to the assertion in paragraph 10 of the Office Action, Higgins fails to anticipate the presently claimed invention.

In Figs. 9-11 of Kishi, the additional wire 24 disposed to be connected to the base of outer adjusting shaft 19 (i.e., to the outer end of intermediate boom member 10), passes around and through inner adjusting shaft 18 and is connected to the lower end of intermediate boom member 10 within lowermost boom member 9 (column 8, lines 45-60). Furthermore, the isosceles triangle formed by additional wire 24 and intermediate tension wire 22 (column 8, line 60 – column 9, line 5) precludes positioning of shaft 18 in the manner of guy stand 11 at angle β as in the presently claimed invention. None of Praschak, Templeton and Higgins remedies these deficiencies in Kishi.

The remaining art of record has not been applied against the claims and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment and accompanying remarks, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate, together with the requisite petition fee and fee for additional claims introduced herein.

Early favorable action is earnestly solicited.

Respectfully submitted,



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